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Intellectual Property Law

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#17

KENNETH I. KOHN, Ph.D.  
AMY E. RINALDO<sup>1</sup>  
ANDREW M. PARIAL  
<sup>1</sup>also admitted in Ohio

*Of Counsel*  
WILLIAM H. HORTON  
LINDA M. WATSON

October 15, 2002

Examiner Kathleen M. Kerr  
United States Patent & Trademark Office  
1911 S. Clark Place CM1, 7<sup>th</sup> Floor  
Arlington, Virginia 22202

Re: United States Patent Application  
Serial No.: 09/710,262; Filed: 11/10/00  
For: GENE CLUSTER  
Our File No.: 2290.00101

Dear Examiner Kerr:

Further to your telephone call on today's date, enclosed please find a copy of the Sequence Listing/Statement, together with a diskette containing the sequence listing that was submitted August 8, 2002, and September 17, 2002, regarding the above-referenced application.

If you have any questions regarding the above, please do not hesitate to contact us.

Very truly yours,

KOHN & ASSOCIATES, PLLC



Amy E. Rinaldo

AER/ch  
Enc.

filed w/diskette

K.K  
10/16/02

The "Received" Stamp of the Patent  
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acknowledges the filing of:

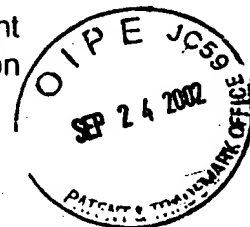
DESCRIPTION  
OF PAPER: Submission of Corrected Sequence Listing/Statement

NAME OF  
APPLICANT: Eugene Rosenberg  
OUR FILE # 2290.00101

INTF. OR  
SERIAL NO: 09/710,262

DATE: 9/17/02 ATTY: AER/ch

The "Received" Stamp of the Patent  
& Trademark Office imprinted hereon  
acknowledges the filing of:



DESCRIPTION  
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NAME OF  
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OUR FILE # 2290.00101

INTF. OR  
SERIAL NO: 09/710,262

DATE: 9/17/02 ATTY: AER/ch

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Eugene Rosenberg

Serial No. 09/710,262

Group Art Unit: 1652

Filed: 11/10/00

Examiner: KERR, Kathleen M

For: GENE CLUSTER

Attorney Docket No: 2290.00101

BOX SEQUENCE LISTING

Assistant Commissioner for Patents  
Washington, D.C. 20231

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Dear Sir:

**SUBMISSION OF CORRECTED  
SEQUENCE LISTING/STATEMENT**

1. This replies to the communication from the Examiner in charge of this application, Paper No. 13, date mailed September 10, 2002.

X  A copy of the communication is enclosed.

2. I, Amy E. Rinaldo, state the following:

3. Submitted herewith is/are:

X  A. Sequence Listing(s) for the nucleotide and/or amino acid sequence(s).

Each sequence Listing is assigned a separate identifier.

X  B. A copy of each Sequence Listing submitted for this application in computer readable form.

C. Preliminary Amendment inserting the Sequence Listing into the application.

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a) and 1.10**

I hereby certify that on the date shown below this correspondence is being deposited with the United States Postal Service in an envelope addressed to: Box Sequence List, Assistant Commissioner for Patents, Washington, DC 20231.

37 CFR 1.8(a)

xxx  sufficient postage as first class mail.

37 CFR 1.10\*

as "Express Mail Post Office to Addressee"  
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*Connie Herty*  
\_\_\_\_\_  
Connie Herty

DATED: September 17, 2002

(Transmittal Sequence Statement --Page 1 of 2)

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**STATEMENT THAT SEQUENCE LISTING  
AND COMPUTER READABLE COPY ARE THE SAME**

I hereby state that each computer readable form submitted in this application is the same as the Sequence Listing to which it is indicated to relate.

I hereby state that all papers accompanying this submission, or for which a request for transfer from Applicants' other application, introduce no new matter.

The Commissioner is authorized to charge any fee or credit any overpayment in connection with this communication to our Deposit Account No. 11-1449.

Respectfully submitted,

KOHN & ASSOCIATES, PLLC



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Dated: September 17, 2002